

## UNITED STATES DISTRICT COURT

for the

Western District of Arkansas

U.S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

JUN 02 2009

CHRIS R. JOHNSON, CLERK

United States of America )

v. )

Charles C. Carter, III )

BY

DEPUTY CLERK

Case No: 2:06CR20045-001

USM No: 06498-010

Date of Previous Judgment: January 22, 2009

James Pierce

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED, ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 84 months is reduced to 70 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 25Amended Offense Level: 23Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 84 to 105 monthsAmended Guideline Range: 70 to 87 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

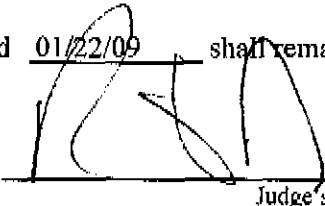
- ☒ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):

**III. ADDITIONAL COMMENTS**

This sentence is to run concurrently with the sentence imposed on July 20, 2007, in Tulsa County, OK, District Court Case #CF-2006-4200, as set forth in the Amended Judgment dated January 22, 2009.

Except as provided above, all provisions of the judgment dated 01/22/09 shall remain in effect.

**IT IS SO ORDERED.**Order Date: June 2, 2009

  
 Judge's signature

Effective Date: \_\_\_\_\_  
 (if different from order date)

Honorable Robert T. Dawson, U.S. District Judge  
 Printed name and title